

Bruce T Beesley

Honorable Bruce T. Beesley
United States Bankruptcy Judge



Entered on Docket
December 06, 2016

7 CHRISTOPHER P. BURKE, ESQ.
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10 Attorney for Debtor(s)

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:) Case No.: BK-N-13-50461-BTB
14) Chapter 7
15 CHRISTOPHER MICHAEL MARINO)
VALERIE MARGARET MARINO)
16)
17 Debtors.) Hearing Date: 11-30-16
Hearing Time: 2:00 p.m.

**ORDER DENYING MOTION TO STAY EXECUTION
OF JUDGMENT PENDING APPEAL**

20 THIS MATTER having come before the Court on Creditor, OCWEN LOAN
21 SERVICING LLC, (“Creditor” or “Ocwen”) Motion to Stay Execution of Judgment Pending
22 Appeal [Dkt. 116] filed by its counsel, Wright, Finley & Zak LLP who appeared through its
23 counsel, Christopher A.J. Swift, Esq., and Christopher P. Burke, Esq., having filed an
24 Opposition on behalf of the Debtors, Christopher Michael Marino and Valerie Margaret
25 Marino (“Marino”), who appeared, and the Court having read the pleadings, and after
26 hearing oral argument, and with good cause appearing therefore;

1 IT IS THEREFORE THE ORDER OF THIS COURT, that Ocwen's Motion to Stay
2 Execution of Judgment Pending Appeal, is hereby DENIED;

3 IT IS HEREBY FURTHER ORDERED; Ocwen has seven days from today's hearing
4 of November 30, 2016, so until December 7, 2016, to post a Bond with the Clerk of the
5 Court in Reno, Nevada for the full amount of the judgment \$119,760 and the federal
6 judgment rate of interest for one year. The interest will continue to accrue until all appeals
7 are exhausted, and thus may require a new bond at the end of that one year period;

8 IT IS HEREBY FURTHER ORDERED; that this bond shall remain on deposit until
9 further order of this Court;

10 IT IS HEREBY FURTHER ORDERED; that if Ocwen does not post a bond in the
11 above amount by December 7, 2016, it will be fined \$5,000 per day until the appropriate
12 bond amount is posted;

13 IT IS HEREBY FURTHER ORDERED that Ocwen must comply with this Order and
14 post the above described bond, regardless if this Order is signed before December 7, 2016,
15 otherwise the fine will begin.

16
17 IT IS SO ORDERED.

18
19 Respectfully submitted:

20
21 /s/ CHRISTOPHER P. BURKE, ESQ.
CHRISTOPHER P. BURKE, ESQ
22 Attorney for Christopher Michael Marino
and Valerie Margaret Marino
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(X) approve () disapprove


CHRISTOPHER A.J. SWIEP, ESQ
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ALTERNATIVE METHOD Re: RULE 9021

In accordance with Local Rule 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that:

The court waived the requirements of approval under LR 9021 (b)(1).

No parties appeared or filed written objections, and there is no trustee appointed in this case.

I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and any trustee appointed in this case, and each has approved or disapproved the order, or failed to respond as indicated below:

On December 1, 2016, to Christopher A.J. Swift, Esq., Attorney for Ocwen
Loan Servicing at email: cswift@wrightlegal.net

No opposition was filed to the motion and no counsel appeared at the hearing.

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